

REMARKS

Applicant would like to thank the Examiner for her consideration of the subject application. In the first paragraph of the detailed action, the office action objects to the drawings on the grounds that the first and second claimed couplings must be shown in the drawings or the feature canceled from the claims. Applicant respectfully draws the examiners attention to Figures 3, 6, and 7 and the corresponding description. These Figures and description show and describe coupling the adjustment member to the horizontal bar for horizontal adjustment and to the vertical slide and vertical slide mount for vertical adjustment. More specifically, in the embodiments described, three pins align and engage with apertures to thereby couple the adjustment member for either horizontal (first coupling) or vertical (second coupling) adjustment. The coupling member shown in the drawings and described in the specification allows for easy attachment and removal of the adjustment member without disassembly of the sight mechanism. In view of the foregoing applicant respectfully requests withdrawal of the objection to the drawings or a notice to that affect.

In the second paragraph of the detailed action, claims 1, 6, and 11 were objected to on the grounds that “on a” should be “on the”. Pending claims 1 and 6 have been amended according to the suggestion of the examiner. Claims 9 and 14 were objected to as being substantial duplicates of claims 6 and 11. With this response claims 9 and 14 have been canceled to overcome this objection.

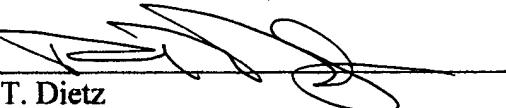
In the fourth and fifth paragraphs of the detailed action claims 1-14 were rejected under 35 U.S.C. 102(b) as being anticipated by Sappington (US 5,414,936). In support of the rejection, the action identifies “Fig. 2, bracket 83, slide 51, support 101 and bracket

89" as a removable adjustment member, a threaded "axial knob 133" as a first coupling, and threaded "cap 73" as a second coupling. Although Sappington shows and describes an adjustable bow sight, Sappington does not show or describe an adjustment member that may be removed without rendering inoperable the bow sight described by Sappington. The brackets 83 and 89, slide 51, support 101, screws 43 and 121, threaded knob 133, threaded cap 73 and other components must all be assembled together before the sight 81 can be adjusted in a vertical or horizontal direction relative to a fixed point on the bow. By disassembling or removing the bracket 83, slide 51, support 101 and bracket 89 the sight 81 is not usable to assist the archer in shooting an arrow from the bow.

Unlike the bow sight shown and described by Sappington, the bow sight of the present invention includes a claimed removable adjustment member that provides finite incremental adjustment of the sight in both a horizontal and vertical direction. Even when the claimed adjustment member is removed, the sight is usable by the archer to aim the arrow at the target. Removal of the claimed adjustment member does not require disassembly of the sight. The claimed aiming device of the present invention remains operable after the adjustment member is removed. A component or claimed feature is not removable if removing the element renders the device inoperable. Sappington does not show or describe a removable adjustment member that can be removed without rendering the described device inoperable. A reference does not anticipate the claimed invention if the reference does not show or describe an operable device having the claimed element. Each independent claim of the present invention requires a removable adjustment member. Likewise new independent claim 15 also requires a removable adjustment

member. Removable does not mean and cannot properly be construed to mean disassemable. Therefore, each independent claim and claims dependent thereon are believed to be in a condition of allowance and a notice to that affect is respectfully requested.

In view of the foregoing applicant believes pending claims 1-8, 10, and 15-17 are in a condition of allowance and a notice to that affect is respectfully requested.

By: 
Paul T. Dietz
Reg. No. 38,858
952-201-2008

Please address all correspondence to:

Paul T. Dietz
4975 Wilderness Lake Circle
Elko, MN 55020-9612
Phone: 952-201-2008

Date: September 10, 2004

CERTIFICATION UNDER 37 C.F.R. 1.8

Date of Deposit: September 11, 2004

I hereby certify that this paper is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on the date shown above.


Paul T. Dietz